

**REMARKS**

This communication is responsive to the Official Action dated January 5, 2009. By this Amendment, claims 1 and 11 are amended and claim 14 is added. Currently, claims 11-13 are withdrawn from further consideration.

Applicant respectfully requests rejoinder of the withdrawn claims to the application. It is respectfully submitted that at least claims 1 and 2 are generic to both Species I and II. Furthermore, new claim 14 is a linking claim that includes all of the features of claims 1 and 11.

The Drawing Figures 16 and 17 are objected to because they fail to designate the legend "Prior Art". Replacement Sheets of Drawing Figures 16-18 are filed herewith reflecting the legend "Prior Art". Withdrawal of the objection is respectfully requested.

The Abstract of the Disclosure is objected to because of its undue length. A new Abstract of the Disclosure is filed herewith in compliance with US practice.

Claims 1-6 are rejected under 35 USC 102 (b) as being anticipated by DiRisio (U.S. Patent No. 5,331,362). The rejection is respectfully traversed.

DiRisio teaches a photographic camera that includes a camera body and an electronic flash unit having a flash lens and a light-emitting device capable of being separated to change the illumination angle of the flash unit. The flash unit is supported to permit the flash unit to be increasingly extended from the camera body and a regulating device connects the camera body with one of the flash lens and the light-emitting device for continuously separating the flash lens and the light-emitting device to vary the illumination angle of the flash unit as the flash unit is increasingly extended from the camera body.

Claim 1, as amended, is directed to an imaging apparatus that includes an exterior case to which a lens device is attached, a baseplate, a flashlight device, spring means and holding means. Claim 1 recites that the base plate is supported in the vicinity of an objective lens of the lens device and the flashlight device is pivotally connected to the base plate and is capable of moving between a pop-up position and a storage position through a turning arm. Further, claim

1 recites that the spring means makes the flashlight device pop up to be urged to the pop-up position with the spring means in contact with the base plate and the flashlight device. Also, claim 1 recites that the holding means holds the flashlight device in the storage position with the holding means fixedly connected to the base plate and releasably connected to the flashlight device in the storage position. Additionally, claimed 1 recites that the pop-up angle of the flashlight device is set at 20 degrees or less and a light emitting portion faces the front of a subject in the pop-up position.

It is respectfully submitted that the rejection is improper because the applied art fails to teach each and every element of claim 1, as amended. Specifically, it is respectfully submitted that the applied art fails to teach a base plate supported in the vicinity of an objective lens of the lens device, a the flashlight device pivotally connected to the base plate, spring means in contact with the base plate and the flashlight device and holding means fixedly connected to the base plate and releasably connected to the flashlight device in the storage position. Thus, it is respectfully submitted that claim 1 is allowable over the applied art.

Claims 2-6 depend from claim 1 and includes all of the features of claim 1. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 1 is allowable as well as for the features they recite.

Withdrawal of the rejection is respectfully requested.

Claims 1-6 are rejected under 35 USC 102 (b) as being anticipated by Kaihara et al. (U.S. Patent No. 5,502,530). The rejection is respectfully traversed.

Kaihara teaches a camera that includes a flash unit comprising an illumination-angle varying mechanism for varying a flash illumination angle. The camera also includes a motor disposed in a camera body and rotatable in a first direction and in a second direction. A clutch switches a direction of drive transmission in accordance with a switching of a direction of rotation of the motor. A first transmission system transmits a rotation of the motor to the illumination-angle varying mechanism in accordance with a switching of the clutch caused by a rotation of the motor in the first direction. A second transmission system transmits a rotation of

the motor to a camera-operating mechanism other than a flash unit operating mechanism in accordance with a switching of the clutch caused by a rotation of the motor in the second direction.

It is respectfully submitted that the rejection is improper because the applied art fails to teach each and every element of claim 1, as amended. Specifically, it is respectfully submitted that the applied art fails to teach a base plate supported in the vicinity of an objective lens of the lens device, a the flashlight device pivotally connected to the base plate, spring means in contact with the base plate and the flashlight device and holding means fixedly connected to the base plate and releasably connected to the flashlight device in the storage position. Thus, it is respectfully submitted that claim 1 is allowable over the applied art.

Claims 2-6 depend from claim 1 and includes all of the features of claim 1. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 1 is allowable as well as for the features they recite.

Withdrawal of the rejection is respectfully requested.

Claims 4-6 are rejected under 35 USC 102 (b) as being anticipated by DiRisio or Kaihara. 5,502,530). The rejection is respectfully traversed.

Claims 4-6 depend from claim 1 and includes all of the features of claim 1. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 1 is allowable as well as for the features they recite.

Withdrawal of the rejection is respectfully requested.

Claims 4-10 are rejected under 35 USC 103 (a) as being unpatentable over Kaihara in view of DiRisio. The rejection is respectfully traversed.

Claims 4-10 depend from claim 1 and includes all of the features of claim 1. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 1 is allowable as well as for the features they recite.

Withdrawal of the rejection is respectfully requested.

It is respectfully submitted that the pending claims are believed to be in condition for allowance over the prior art of record. Therefore, this Amendment is believed to be a complete response to the outstanding Office Action. Further, Applicants assert that there are also reasons other than those set forth above why the pending claims are patentable. Applicants hereby reserve the right to set forth further arguments and remarks supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers.

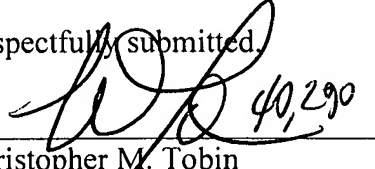
In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Dated: February 17, 2009

Respectfully submitted,

By

  
Christopher M. Tobin

Registration No.: 40,290

Ronald P. Kananen

Registration No.: 24,104

RADER, FISHMAN & GRAUER PLLC

Correspondence Customer Number: 23353

Attorneys for Applicant

Enclosure(s):      Amendment Transmittal  
                         Replacement Sheets of Drawing Figures 16-18  
                         Abstract of the Disclosure

DC342715.DOC